

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	8:15CR12
vs.	)	
	)	ORDER
	)	
CHARLES BAKER,	)	
	)	
Defendants.	)	

This matter is before the court on defendant's unopposed Motion to Continue Trial and Request for Leave to File Motion to Suppress Out of Time [22]. Counsel for defendant requests the trial be continued to allow more time to review discovery and determine how to proceed. Defendant further moves the court for leave to file a motion to suppress out of time. The defendant shall comply with NECrimR 12.1(a). For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial and Request for Leave to File Motion to Suppress Out of Time [22] is granted, as follows:

1. The defendant shall file a Motion to Suppress on or before August 12, 2015.
2. The jury trial now set for August 11, 2015 is cancelled.
3. Defendant is ordered to file a waiver of speedy trial as soon as practicable
4. **If a Motion Suppress is not filed by August 12, 2015, the jury trial will be scheduled for September 1, 2015.**

5. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and September 1, 2015**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED August 5, 2015.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**